

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASHLEY ADAMS	:	
716 North Barrett Lane	:	
Christiana, DE 19702	:	DISTRICT COURT
	:	
PLAINTIFF,	:	
	:	
v.	:	No. 04-251 JJF
	:	
JO ELLEN CHAPEN SHELDON	:	
708 Pebble Beach Drive	:	
Elkton, MD 21921	:	
	:	TRIAL BY JURY DEMANDED
DEFENDANT.	:	

**DEFENDANT'S MOTION FOR RE-ARGUMENT
OF ORDER COMPELLING ADDITIONAL DEPOSITION OF DEFENDANT**

Defendant, Jo Ellen Chapen Sheldon, by and through her undersigned counsel, hereby moves for Re-argument of the Order permitting Plaintiff to take a second deposition of Defendant. In support thereof, Defendant submits the following:

1. The Court's Order of October 5, 2007 states that Defendant did not file a response to the motion. Defendant did file a response and motion for a Protective Order on October 3, 2007 and asks that the information in that response be considered as part of this Motion for Re-argument.

2. The Defendant objected to a further deposition of the plaintiff as the information stated by Plaintiff in support of

the motion was inaccurate. The deposition transcript shows that the audio and visual equipment used in Defendant's deposition did not malfunction and her former attorney and Plaintiff's attorney did not agree at Defendant's deposition that Defendant would be available to be re-deposed at a later date.

3. In fact, as Defendant has relocated to Georgia, Defendant paid for her deposition to be taken by video conference in this matter and should not have to pay for another deposition under these circumstances.

4. In addition, as Plaintiff is *pro se*, and has been seeking discovery of information which is not relevant or discoverable from the Defendant, Defendant is concerned about the conduct of any additional deposition in which there are no parameters as to what information may be requested by Plaintiff.

Based on the foregoing, and the law, facts and argument included in Defendant's response to Plaintiff's Motion to Proceed with the deposition, Defendant moves this Honorable Court for re-argument of the Order and the entry of an order denying Plaintiff's Motion to Compel Deposition of Jo Ellen Sheldon and Granting a Protective Order precluding the taking of the deposition.

/S/Beth H. Christman
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